UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,452	01/05/2001	Scott C. Harris	FILE-DOMAIN/SCH	5147

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EXAMINER
TRAN, ELLEN C

ART UNIT	PAPER NUMBER
2134	

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/755,452	HARRIS, SCOTT C.
	Examiner	Art Unit
	Ellen C Tran	2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _05 January 2001_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-27_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-27_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

NORMAN M. WRIGHT
PRIMARY EXAMINER

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communication: original application filed

05 January 2001, with acknowledgement of continuing data filing date of 21 July 2000.

2.   Claims 1-27 are currently pending in this application. Claims 1, 10, 14, 22, and 23 are

independent claims.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language

4.   **Claims 1-27** are rejected under 35 U.S.C. 102(e) as being anticipated by Tello

U.S. Patent No. 6,463,537 (hereinafter '537).

As to independent claim 1, "A method, comprising: identifying a user using

unique information; designating a first plurality files a computer as being

associated with said user; responsive to said identifying, using a program to said

user to make a change to any of said first plurality of files associated said user;

and preventing reading contents of said first plurality read/write files when said

user is not identified" is taught in '537 col. 5, lines 15-48.

As to dependent claim 2, "wherein said preventing comprises encrypting

files using an encryption value which requires said unique information form an

encryption key" is shown in '537 col. 5, lines 35-39.

As to dependent claim 3, "wherein said specified information includes a user password" is disclosed in '537 col. 26, lines 15-17.

As to dependent claim 4, "wherein said specified information includes a unique number indicative of hardware in the computer system" is taught in '537 col. 9, lines 20-25.

As to dependent claim 5, "further comprising designating a second plurality of files on the computer as read only, and storing unencrypted information in said read files but not allowing any changes to said read only files" is shown in '537 col. 14, lines 24-27 and col. 19, lines 44-55.

As to dependent claim 6, "further comprising establishing a plurality of special files within said plurality read/write files, and establishing special security measures for said special files, said special files being unencrypted read/write files, and establishing special security measures for said special files" is disclosed in '537 col. 14, lines 1-13.

As to dependent claim 7, "wherein said security measures include determining whether a specified program actually accessing the file, and only allowing file access by said specified program" is shown in '537 col. 14, lines 25-28.

As to dependent claim 8, "further comprising of accesses based on specified detecting certain kinds security criteria, and maintaining a log of said accesses including information about a program that made said accesses" is disclosed in '537 col. 14, lines 34-42.

As to dependent claim 9, "wherein preventing comprises preventing comprises preventing certain users from obtaining access to said files" is taught in '537 col. 5, lines 33-35.

As to independent claim 10, "A method, comprising: storing both encrypted and unencrypted files on a computer" taught in '537 col. 14, lines 38-41;

"starting an operating system by reading said unencrypted files" is shown in '537 col. 14, lines 17-21;

"and storing" is disclosed in '537 col. 15, lines 64-65;

"encrypted information indicating results computer operations" is taught in '537 col. 16, lines 17-19.

As to dependent claim 11, "further comprising designating unencrypted files as read only, and encrypted files as read/write files" is shown in '537 col. 14, lines 24-27 and '537 col. 19, lines 44-55.

As to dependent claim 12, "further comprising forming encrypted files by requiring a unique information, and using said unique as part of an encryption and/or decryption operation" is disclosed in '537 col. 20, lines 7-24.

As to dependent claim 13, "further comprising establishing special files which are read/write files that are encrypted, and carrying out least one security measure said special files" is taught in '537 col. 14, lines 1-13.

As to independent claim 14, "A computer, comprising: processor; a file accessing element, controlled by a controlling operation, said file accessing part controlling files in the computer in a way that prevents access specified files but

allows access to other files unless specific unique information is used" is shown

in '537 col. 5, lines 15-48.

As to dependent claim 15, "wherein said file accessing element allows

access to all read files, and prevents access to read/write files without said

unique information" is disclosed in '537 col. 14, lines 24-27 and '537 col. 19,

lines 44-55.

As to dependent claim 16, "wherein said file accessing element allows

access to certain read write files which are designated as being special, and also

conducts security check before allowing said access to said read write files" is

taught in '537 col. 14, lines 24-27 and '537 col. 19, lines 44-55.

As to dependent claim 17, "wherein said file accessing part controls said

access by encrypting said files" shown in '537 col. 14, lines 38-41

As to dependent claim 18, "wherein said encrypting comprises obtaining

personal information from a user, and using said personal information to form

encryption and/or decryption operations" is taught in '537 col. 5, lines 25-28.

As to dependent claim 19, "wherein said personal information a password"

is shown in '537 col. 26, lines 15-17.

As to dependent claim 20, "further comprising file storage part which

includes removable memory, and wherein unencrypted read/write access is

allowed to said removable memory" is disclosed in '537 col. 13, lines 50-67.

As to dependent claim 21, "wherein said file accessing element is part of

an operating system" is taught in '537 col. 14, lines 17-21

As to independent claim 22, "A method comprising: identifying using

unique information; using an operating system associated program computer

designate a first plurality of files a computer, as being associated with said user

and said plurality of files using an encryption system that encrypt includes said

unique information; said identifying, using said operating system associated

program in said computer to allow said user make any changes any of said first

plurality files using said encryption system associated with said user and prevent

reading contents said first plurality of read/write files when said user not

responsive identified; allowing other read when said user unencrypted files on

said system be is not identified, but preventing writing to said other unencrypted

files" is taught in '537 col. 5, lines 15-48;

"and establishing special files on said system which are unencrypted but

which can be written to and read by the system only after specified security

operation" is shown in '537 col. 14, lines 17-21;

As to independent claim 23, "A method, comprising: obtaining a unique

code from of the computer system; determining specified files on the computer

system which qualify a specified security aspect; and encrypting all other files

other then said specified files said computer system, using said unique code" is

disclosed in '537 col. 5, lines 15-48.

As to dependent claim 24, this claim contains substantially similar subject

matter as claims 3 and is rejected along the same rationale.

As to dependent claim 25, "wherein said unique code a code from a smart card" is taught in '537 col. 5, lines 25-27.

As to dependent claim 26, "wherein said unique code a code from a biometric" is shown in '537 col. 7, lines 53-57.

As to dependent claim 27, "wherein said unique code a code from a digital certificate" is disclosed in '537 col. 5 lines 21 – 22.
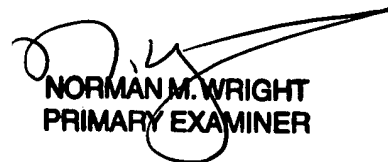
Conclusion

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is (703) 305-8917. The examiner can normally be reached on 6:30 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A Morse can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

Ellen Tran
Patent Examiner
Technology Center 2134
8 June 2004

NORMAN M. WRIGHT
PRIMARY EXAMINER